

U.S.A. vs Ricardo Guzman-Ovares

No. 08MJ549

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
commenced on 2-28-08 and ended on 2-29-08; ( )  
\_\_\_\_\_ and ended on \_\_\_\_\_. ( )

- 3161(h)  
\_\_\_\_ (1) (A) Exam or hrg for mental or physical incapacity  
\_\_\_\_ (1) (B) NARA examination (28:2902)  
\_\_\_\_ (1) (D) State or Federal trials or other charges pending  
\_\_\_\_ (1) (E) Interlocutory appeals  
\_\_\_\_ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo)  
\_\_\_\_ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40)  
\_\_\_\_ (1) (J) Proceedings under advisement not to exceed thirty days  
\_\_\_\_ Misc proc: Parole or prob rev, deportation, extradition  
\_\_\_\_ (1) (H) Transportation from another district or to/from examination  
or hospitalization in ten days or less  
\_\_\_\_ (1) (I) Consideration by Court of proposed plea agreement  
\_\_\_\_ (2) Prosecution deferred by mutual agreement  
☒ (3) (A) (B) Unavailability of defendant or essential witness  
\_\_\_\_ (4) Period of mental or physical incompetence of defendant to  
stand trial  
\_\_\_\_ (5) Period of NARA commitment or treatment  
\_\_\_\_ (6) Superseding indictment and/or new charges  
\_\_\_\_ (7) Defendant awaiting trial of co-defendant when no severance  
has been granted  
\_\_\_\_ (8) (A) (B) Continuances granted per (h) (8) -use "T" alone if more than  
one of the reasons below are given in support of continuance  
\_\_\_\_ (8) (B) (I) 1) Failure to grant a continuance in the proceeding  
would result in a miscarriage of justice and  
the ends of justice outweigh the best interest  
of the public and the defendant in a speedy trial.  
(Continuance - miscarriage of justice)  
\_\_\_\_ 2) Failure to grant a continuance of the trial would result in  
a miscarriage of justice as the defendant has tendered a  
guilty plea to a magistrate judge and is awaiting a  
determination as to whether the plea will be accepted.  
(Continuance - tendered a guilty plea)  
\_\_\_\_ (8) (B) (ii) 2) Case unusual or complex  
\_\_\_\_ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days  
\_\_\_\_ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel,  
or give reasonable time to prepare  
(Continuance re counsel)  
\_\_\_\_ 3161(I) Time up to withdrawal of guilty plea  
\_\_\_\_ 3161(b) Grand jury indictment time extended thirty (30) more days

Date 2-28-08

MCS  
Judge's Initials

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